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5 Attorney for Plaintiff
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7 UNITED STATES DISTRICT COURT
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EASTERN DISTRICT OF CALIFORNIA
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10 ANITA KOURY,

Case No.: 1:20-cv-01417-EPG

11 Plaintiff,

12 vs.

13 KILOLO KAJIKAZI,

STIPULATION AND ORDER FOR THE
AWARD OF ATTORNEY FEES
PURSUANT TO THE EQUAL ACCESS TO
JUSTICE ACT, 28 U.S.C. § 2412(d)

14 Acting Commissioner of Social Security,

15 Defendant

(ECF No. 24)

16
17 IT IS HEREBY STIPULATED by and between the parties through their undersigned
18 counsel, subject to the approval of the Court, that Plaintiff be awarded attorney fees under the
19 EAJA in the amount of TWO-THOUSAND TWO-HUNDRED SIXTEEN and TWENTY-SIX
20 cents (\$2,216.26). This amount represents compensation for all legal services rendered on behalf
21 of Plaintiff, to date, by counsel in connection with this civil action, in accordance with 28 U.S.C.
22 § 2412.
23

24 After the Court issues an order for EAJA fees and expenses to Plaintiff, the government
25 will consider the matter of Plaintiff's assignment of EAJA fees and expenses to Plaintiff's
26
27

1 attorney. Pursuant to Astrue v. Ratliff, 130 S.Ct. 2521 (2010), the ability to honor the
2 assignment will depend on whether the fees and expenses are subject to any offset allowed under
3 the United States Department of the Treasury's Offset Program. After the order for EAJA fees
4 and expenses is entered, the government will determine whether they are subject to any offset.
5 Fees and expenses shall be made payable to Plaintiff, but if the Department of the Treasury
6 determines that Plaintiff does not owe a federal debt, then the government shall cause the
7 payment of fees, expenses and costs to be made directly to Shellie Lott, pursuant to the
8 assignment executed by Plaintiff. Any payments made shall be delivered to Plaintiff's counsel.
9

10 This stipulation constitutes a compromise settlement of Plaintiff's request for EAJA
11 attorney fees and expenses, and does not constitute an admission of liability on the part of
12 Defendant under the EAJA. Payment of the agreed amount shall constitute a complete release
13 from, and bar to, any and all claims that Plaintiff and/or Plaintiff's counsel may have relating to
14 EAJA attorney fees and expenses in connection with this action.

16 This award is without prejudice to the rights of Plaintiff's counsel to seek Social Security
17 Act attorney fees under 42 U.S.C. § 406, subject to the offset provisions of the EAJA.

18 Respectfully submitted,

19 Dated: March 7, 2022

/s/ Shellie Lott
SHELLIE LOTT
Attorney for Plaintiff

22 PHILLIP A. TALBERT
23 Acting United States Attorney
DEBORAH L. STACHEL
24 Regional Chief Counsel, Region IX

25 Date: March 7, 2022

/s/ Casper Chan
(As authorized via email on 3/7/22)
CASPAR CHAN
26 Special Assistant United States Attorney
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ORDER

Pursuant to the stipulation of the parties (ECF No. 24), IT IS ORDERED that attorney fees under EAJA, in the amount of TWO-THOUSAND TWO-HUNDRED SIXTEEN and TWENTY-SIX cents (\$2,216.26), are awarded to Plaintiff, subject to the terms of the stipulation.

IT IS SO ORDERED.

Dated: March 7, 2022

/S/ Eric P. Goss

UNITED STATES MAGISTRATE JUDGE